



**Petition for a Declaration of the Invalidity of Marriage
Due to an Undispensed Impediment or a Defect of Canonical Form**

Before completing this petition with the assistance of a Priest, Deacon, or Tribunal Aide, please read the accompanying instructions.

Contact and Personal Information of the Petitioner and Respondent

Petitioner		Respondent
	Current Full Name (First, Middle, Last)	
	Maiden Name (if applicable)	
	Physical Address (Number and Street)	
	City, State, Zip	
	Mailing Address (If different from above)	
	City, State, Zip	
	Email Address	
<input type="checkbox"/> Home <input type="checkbox"/> Work <input type="checkbox"/> Cell	Telephone Number (include area code)	<input type="checkbox"/> Home <input type="checkbox"/> Work <input type="checkbox"/> Cell
	Date of Birth (Month, Date, Year)	
	Place of Birth (City and State/Country)	
<input type="checkbox"/> Catholic <input type="checkbox"/> Baptized Christian <input type="checkbox"/> Unbaptized <input type="checkbox"/> Unknown	Baptism Status at Time of This Marriage	<input type="checkbox"/> Catholic <input type="checkbox"/> Baptized Christian <input type="checkbox"/> Unbaptized <input type="checkbox"/> Unknown
	Current Religion/Denomination	
	Total Number of Marriages	
	Number of This Marriage	

Information Concerning the Marriage of the Petitioner and Respondent

Date of Marriage (Month, Day, and Year)			
Place of Marriage (Location, City, State/Country)			
Name of the Priest, Minister, or Civil Official Who Assisted at the Marriage?			
<i>If the Marriage above was later regularized in the Catholic Church, please complete this section.</i>	Date of Catholic Marriage (Month, Day, and Year)		
	Place of Catholic Marriage (Location, City, State/Country)		
	Name of the Priest or Deacon Who Assisted at the Marriage?		
Date of Final Divorce Decree			
Jurisdiction Granting the Civil Divorce (County and State/Country)			
Was a radical sanation ever granted for this marriage?			<input type="checkbox"/> Yes <input type="checkbox"/> No
Diocese		Protocol Number	

Complete either Section A or B depending on the reason alleged for the invalidity of the marriage.

A. Defect of Canonical Form

I hereby allege that my marriage to the Respondent was invalid due to a defect of canonical form because (*choose all that apply*)

- The officiating priest or deacon lacked delegation from a competent ecclesiastical authority.
- The priest or deacon did not *ask for the consent* of the parties before the vows were exchanged.
- The priest or deacon did not *receive the consent* of the parties after the vows were exchanged.
- The priest or deacon did not ask for and receive the consent of *both* parties.
- Only one or zero witnesses were present at the exchange of consent of the parties.
- The proxy lacked a valid mandate.

B. Undispensed Impediment

I hereby allege that my marriage to the Respondent was invalid due to an undispensed impediment (*choose all that apply*)

- | | |
|--|---|
| <input type="checkbox"/> Age | <input type="checkbox"/> Crime |
| <input type="checkbox"/> Impotence | <input type="checkbox"/> Consanguinity (3 rd or 4 th degree of the collateral line) |
| <input type="checkbox"/> Disparity of Worship | <input type="checkbox"/> Affinity |
| <input type="checkbox"/> Ordination | <input type="checkbox"/> Public Propriety |
| <input type="checkbox"/> Perpetual Religious Vow of Chastity | <input type="checkbox"/> Legal Relationship from Adoption |
| <input type="checkbox"/> Abduction | |

Note: If the undispensed impediment was a prior bond, please complete the Petition for a Declaration of the Invalidity of Marriage Due to the Impediment of Prior Bond (Ligamen).

Name of the Priest, Deacon, or Tribunal Aide assisting you	
Parish	

Attestation of the Petitioner

I, the undersigned, petition the Tribunal of Stockton for a declaration of the invalidity of my marriage due to
 a defect of canonical form
 an undispensed impediment.

I hereby attest that the information submitted in this petition is correct, insofar as I know. I understand that no wedding date can be scheduled until this case is concluded by the Tribunal.

 Date

 Signature of the Petitioner

 Signature of Priest, Deacon, or Tribunal Aide

(Seal of Church)

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The following documents are included with this petition:

- Original certificate of Catholic baptism or reception into full communion with the Catholic Church (issued within the last six months, with notations) for each Catholic party.
- Certificate of Marriage in the Catholic Church (with notations).
- Civil marriage license and certificate (must have stamp or seal) for the marriage.
 NOTE: California’s marriage license and certificate is one page. Nevada’s (and other states’) marriage license (application) and certificate are two separate items. Both the license **and** certificate are required. One indicates the number of previous marriages, the other the marriage details.
- Decree of dissolution (divorce) or civil nullity (must have stamp or seal) from prior or subsequent marriage(s), The document must state the date the civil marriage of the parties was terminated and the signature of the judge/magistrate.
- Any and all documents relating to the alleged invalidity of the marriage.
- \$100 filing fee (make check payable to: Roman Catholic Bishop of Stockton). At the conclusion of the process, the Petitioner will be billed for the remaining balance.

Please mail the petition and all required documents to:

Tribunal
 Diocese of Stockton
 212 North San Joaquin Street
 Stockton, CA 95202-2409

Instructions for Completing the Petition for a Declaration of the Invalidity of Marriage Due to an Undispensed Impediment or a Defect of Canonical Form

In canon law, the process to declare invalid a marriage due to an undispensed impediment or a defect of canonical form is a documentary process, i.e., the invalidity is proven through unimpeachable documents that clearly establish the existence of the undispensed impediment or defect of form (c. 1688).

Impediments render a party unqualified to marry. Those of ecclesiastical law can and must be dispensed by the Catholic spouse's local ordinary or the Holy See before the marriage. Divine law impediments can never be dispensed. Examples of documentary proof of an impediment include a certificate of ordination or certification from a local ordinary that no dispensation of disparity of cult was ever granted.

Canonical form, which binds marriages involving at least one Catholic, requires the participation of the bride and the groom, two witnesses, and a delegated priest or deacon who asks for and receives the consent of both parties. This form can be defective—and the marriage invalid—if one of the reasons on page 2 of the petition was operative.

The petition is a fillable pdf that can be completed online, printed on pink paper, signed, and sent to the Tribunal with the other required materials. Alternatively, the petition can be printed on pink paper and completed by hand legibly.

1. *Contact and Personal Information of the Petitioner and Respondent.* The Petitioner and Respondent in the case are the man and woman who, it is alleged, have an invalid marriage because one (or both) had an undispensed impediment or the canonical form used to celebrate the marriage was defective. Complete all the fields for each party. As a judicial process in the Church, the Respondent must be notified and given the opportunity to participate. If the Respondent's whereabouts are unknown, the form "Search for Address of Former Spouse" must be completed and submitted with the petition (<https://files.ecatholic.com/21788/documents/2019/1/Search-for-Address-of-Former-Spouse-Only-when-required.pdf?t=1548357695000>).
2. *Information Concerning the Marriage of the Petitioner and Respondent.* The information required in this section concerns the marriage of the Petitioner and Respondent. If the parties celebrated marriage first outside the Church and then later regularized the marriage in the Catholic Church, please complete the indented section also. This information can be found on civil and ecclesiastical marriage and divorce documents.
3. *Reasons for the Alleged Invalidity of the Marriage.* Select the appropriate box(es) in Section A (for a Defect of Canonical Form) or Section B (for an Undispensed Impediment). Read the options carefully. Direct any questions concerning the choices to the Tribunal staff.
4. *Attestation of the Petitioner.* The Petitioner must sign and date the attestation, which is notarized by the priest, deacon, or Tribunal Aide.
5. Concerning the civil marriage license: a certified copy is not required; an uncertified copy suffices. Some counties provide printable copies online.
6. Questions about the Defect of Form or Undispensed Impediment petition can be addressed to the Tribunal staff: tribunal@stocktondiocese.org.